



General Assembly

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Sixty-fourth session
Agenda item 16
Question of Palestine

Algeria, Bahrain, Bangladesh, Belarus, Brunei Darussalam, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Malaysia, Mali, Malta, Mauritania, Morocco, Namibia, Nicaragua, Nigeria, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen, Zimbabwe and Palestine: draft resolution

**Committee on the Exercise of the Inalienable Rights of the
Palestinian People**

The General Assembly,

Recalling its resolutions 181 (II) of 29 November 1947, 194 (III) of 11 December 1948, 3236 (XXIX) of 22 November 1974, 3375 (XXX) and 3376 (XXX) of 10 November 1975, 31/20 of 24 November 1976 and all subsequent relevant resolutions, including those adopted by the General Assembly at its emergency special sessions and resolution 63/26 of 26 November 2008,

Recalling also its resolution 58/292 of 6 May 2004,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,¹

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, as well as the existing agreements between the two sides and the need for full compliance with those agreements,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,² endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003,

¹ *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 35 (A/64/35).*

² S/2003/529, annex.



Recalling further the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002,³

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,⁴ and recalling also its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Reaffirming that the United Nations has a permanent responsibility towards the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy,

1. *Expresses its appreciation* to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly, and takes note of its annual report,¹ including the conclusions and valuable recommendations contained in chapter VII thereof;

2. *Requests* the Committee to continue to exert all efforts to promote the realization of the inalienable rights of the Palestinian people, including their right to self-determination, to support the Middle East peace process and to mobilize international support for and assistance to the Palestinian people, and authorizes the Committee to make such adjustments in its approved programme of work as it may consider appropriate and necessary in the light of developments and to report thereon to the General Assembly at its sixty-fifth session and thereafter;

3. *Also requests* the Committee to continue to keep under review the situation relating to the question of Palestine and to report and make suggestions to the General Assembly, the Security Council or the Secretary-General, as appropriate;

4. *Further requests* the Committee to continue to extend its cooperation and support to Palestinian and other civil society organizations and to continue to involve additional civil society organizations and parliamentarians in its work in order to mobilize international solidarity and support for the Palestinian people, particularly during this critical period of humanitarian hardship and financial crisis, with the overall aim of promoting the achievement by the Palestinian people of its inalienable rights and a just, lasting and peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, on the basis of the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative,³ and the Quartet road map;²

5. *Requests* the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194 (III), and other United Nations bodies associated with the question of Palestine to continue to cooperate fully with the Committee and to make available to it, at its request, the relevant information and documentation which they have at their disposal;

6. *Invites* all Governments and organizations to extend their cooperation to the Committee in the performance of its tasks;

³ A/56/1026-S/2002/932, annex II, resolution 14/221.

⁴ See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory: Advisory Opinion, I.C.J. Reports 2004*, p. 136.

7. *Requests* the Secretary-General to circulate the report of the Committee to all the competent bodies of the United Nations, and urges them to take the necessary action, as appropriate;

8. *Also requests* the Secretary-General to continue to provide the Committee with all the necessary facilities for the performance of its tasks.



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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Addendum

Add the following country to the list of sponsors of the draft resolution:

Guinea



General Assembly

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Algeria, Bahrain, Bangladesh, Belarus, Brunei Darussalam, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Malaysia, Mali, Malta, Mauritania, Morocco, Namibia, Nicaragua, Nigeria, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen, Zimbabwe and Palestine: draft resolution

Division for Palestinian Rights of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,¹

Taking note in particular of the relevant information contained in chapter V.B of that report,

Recalling its resolution 32/40 B of 2 December 1977 and all subsequent relevant resolutions, including resolution 63/27 of 26 November 2008,

1. *Notes with appreciation* the action taken by the Secretary-General in compliance with its resolution 63/27;

2. *Considers* that, by assisting the Committee on the Exercise of the Inalienable Rights of the Palestinian People in the implementation of its mandate, the Division for Palestinian Rights of the Secretariat continues to make a useful and constructive contribution to raising international awareness of the question of Palestine and generating international support for the rights of the Palestinian people and a peaceful settlement of the question of Palestine;

3. *Requests* the Secretary-General to continue to provide the Division with the necessary resources and to ensure that it continues to carry out its programme of work as detailed in relevant earlier resolutions, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance, including the monitoring of developments relevant to the question of Palestine, the organization of international meetings and conferences in various

¹ Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 35 (A/64/35).



regions with the participation of all sectors of the international community, liaison and cooperation with civil society and parliamentarians, the further development and expansion of the "Question of Palestine" website and the documents collection of the United Nations Information System on the Question of Palestine, the preparation and widest possible dissemination of publications and information materials on various aspects of the question of Palestine and the further development and enhancement of the annual training programme for staff of the Palestinian Authority in contribution to Palestinian capacity-building efforts;

4. *Also requests* the Secretary-General to ensure the continued cooperation of the Department of Public Information and other units of the Secretariat in enabling the Division to perform its tasks and in covering adequately the various aspects of the question of Palestine;

5. *Invites* all Governments and organizations to extend their cooperation to the Division in the performance of its tasks;

6. *Requests* the Division, as part of the observance of the International Day of Solidarity with the Palestinian People on 29 November, to continue to organize, under the guidance of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, an annual exhibit on Palestinian rights or a cultural event in cooperation with the Permanent Observer Mission of Palestine to the United Nations, and encourages Member States to continue to give the widest support and publicity to the observance of the Day of Solidarity.



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Division for Palestinian Rights of the Secretariat

Addendum

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Special information programme on the question of Palestine of the Department of Public Information of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,¹

Taking note in particular of the information contained in chapter VI of that report,

Recalling its resolution 63/28 of 26 November 2008,

Convinced that the worldwide dissemination of accurate and comprehensive information and the role of civil society organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people and the efforts to achieve a just, lasting and peaceful settlement of the question of Palestine,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, as well as the existing agreements between the two sides,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,²

¹ *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 35 (A/64/35).*

² S/2003/529, annex.



Recalling further the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002,³

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,⁴

Reaffirming that the United Nations has a permanent responsibility towards the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy,

Expressing the hope that the Department of Public Information of the Secretariat, in its upcoming programme for 2010-2011, will continue to examine ways to foster and encourage the contribution of media in support of the peace process between the Palestinian and Israeli sides,

1. *Notes with appreciation* the action taken by the Department of Public Information in compliance with resolution 63/28;

2. *Considers* that the special information programme on the question of Palestine of the Department is very useful in raising the awareness of the international community concerning the question of Palestine and the situation in the Middle East and that the programme is contributing effectively to an atmosphere conducive to dialogue and supportive of the peace process;

3. *Requests* the Department, in full cooperation and coordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue, with the necessary flexibility as may be required by developments affecting the question of Palestine, its special information programme for the biennium 2010-2011, in particular:

(a) To disseminate information on all the activities of the United Nations system relating to the question of Palestine and the peace process, including reports on the work carried out by the relevant United Nations organizations, as well as on the efforts of the Secretary-General and his Special Envoy vis-à-vis the peace process;

(b) To continue to issue and update publications and audio-visual materials on the various aspects of the question of Palestine in all fields, including materials concerning the relevant recent developments in that regard, in particular the efforts to achieve a peaceful settlement of the question of Palestine;

(c) To expand its collection of audio-visual material on the question of Palestine, to continue the production and preservation of such material and to update, on a periodic basis, the public exhibit on the question of Palestine displayed in the General Assembly building as well as at United Nations Headquarters at Geneva and Vienna;

(d) To organize and promote fact-finding news missions for journalists to the Occupied Palestinian Territory, including East Jerusalem, and Israel;

³ A/56/1026-S/2002/932, annex II, resolution 14/221.

⁴ See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

(e) To organize international, regional and national seminars or encounters for journalists, aiming in particular at sensitizing public opinion to the question of Palestine and the peace process and at enhancing dialogue and understanding between Palestinians and Israelis for the promotion of a peaceful settlement to the Israeli-Palestinian conflict;

(f) To continue to provide assistance to the Palestinian people in the field of media development, in particular to strengthen the annual training programme for Palestinian broadcasters and journalists;

4. *Encourages* the Department to formulate ways for the media and representatives of civil society to engage in open and positive discussions to explore means for encouraging people-to-people dialogue and promoting peace and mutual understanding in the region.



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**Special information programme on the question of Palestine of
the Department of Public Information of the Secretariat**

Addendum

Add the following country to the list of sponsors of the draft resolution:

Guinea





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Peaceful settlement of the question of Palestine

The General Assembly,

Recalling its relevant resolutions, including those adopted at its tenth emergency special session,

Recalling also its resolution 58/292 of 6 May 2004,

Recalling further relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, 1515 (2003) of 19 November 2003, 1544 (2004) of 19 May 2004 and 1850 (2008) of 16 December 2008,

Welcoming the affirmation by the Security Council of the vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,

Noting with concern that it has been more than sixty years since the adoption of resolution 181 (II) of 29 November 1947 and forty-two years since the occupation of Palestinian territory, including East Jerusalem, in 1967,

Having considered the report of the Secretary-General submitted pursuant to the request made in its resolution 63/29 of 26 November 2008,¹

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until the question is resolved in all its aspects in accordance with international law,

¹ A/64/351-S/2009/464.



Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,² and recalling also its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Convinced that achieving a just, lasting and comprehensive settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of comprehensive and lasting peace and stability in the Middle East,

Aware that the principle of equal rights and self-determination of peoples is among the purposes and principles enshrined in the Charter of the United Nations,

Affirming the principle of the inadmissibility of the acquisition of territory by war,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the illegality of the Israeli settlements in the Palestinian territory occupied since 1967, including East Jerusalem,

Stressing the detrimental impact of Israeli settlement policies, decisions and activities on the efforts to resume the peace process and to achieve peace in the Middle East,

Reaffirming the illegality of Israeli actions aimed at changing the status of Jerusalem, including measures such as the so-called E-1 plan and all other unilateral measures aimed at altering the character, status and demographic composition of the city and the territory as a whole,

Reaffirming also that the construction by Israel, the occupying Power, of a wall in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime, are contrary to international law,

Expressing deep concern about the continuing Israeli policy of closures and severe restrictions on the movement of persons and goods, including medical and humanitarian personnel and goods, via the imposition of prolonged closures and severe economic and movement restrictions that in effect amount to a blockade, crossing closures, checkpoints and a permit regime throughout the Occupied Palestinian Territory, including East Jerusalem, and the consequent negative impact on the socio-economic situation of the Palestinian people, which remains that of a dire humanitarian crisis, as well as on efforts aimed at rehabilitating and developing the damaged Palestinian economy, and on the contiguity of the Territory,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,³ and the need for full compliance with the agreements concluded between the two sides,

Recalling also the endorsement by the Security Council, in resolution 1515 (2003), of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁴ and the call in resolution 1850 (2008) for the parties to fulfil

² See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

³ See A/48/486-S/26560, annex.

⁴ S/2003/529, annex.

their obligations under the road map, as affirmed in their joint understanding reached at the Annapolis Conference of 27 November 2007, and to refrain from any steps that could undermine confidence or prejudice the outcome of negotiations,

Noting the Israeli withdrawal in 2005 from the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map,

Recalling the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002,⁵

Expressing support for the agreed principles for bilateral negotiations, as affirmed by the parties at the Annapolis Conference, aimed at concluding a peace treaty resolving all outstanding issues, including all core issues, without exception, for the achievement of a just, lasting and peaceful settlement of the Israeli-Palestinian conflict and ultimately the Arab-Israeli conflict as a whole for the realization of a comprehensive peace in the Middle East,

Expressing support also for the convening of an international conference in Moscow, as envisioned by the Security Council in resolution 1850 (2008), for the advancement and acceleration of a resumed peace process,

Noting the important contribution to the peace process of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, including in the framework of the activities of the Quartet,

Welcoming the reconvening of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, under the chairmanship of Norway, at United Nations Headquarters on 22 September 2009, and affirming the importance of continued follow-up and fulfilment of pledges made at the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held at Sharm el-Sheikh, Egypt, in March 2009, for the provision of emergency assistance and support for reconstruction and economic recovery in the Gaza Strip and alleviation of the socio-economic and humanitarian crisis being faced by the Palestinian people, and acknowledging the contribution of the Palestinian-European Mechanism for the Management of Socio-Economic Aid of the European Commission in this regard,

Recognizing the efforts being undertaken by the Palestinian Authority, with international support, to rebuild, reform and strengthen its damaged institutions, emphasizing the need to preserve and develop the Palestinian institutions and infrastructure, and welcoming in this regard the Palestinian Authority's plan for constructing the institutions of a Palestinian State within a twenty-four month period as a demonstration of the serious commitment to an independent State that provides opportunity, justice and security for the Palestinian people and is a responsible neighbour to all States in the region,

Welcoming the efforts and progress made in the security sector by the Palestinian National Authority, calling upon the parties to continue cooperation benefiting both Palestinians and Israelis, in particular for promoting security and

⁵ A/56/1026-S/2002/932, annex II, resolution 14/221.

building confidence, and expressing the hope that such progress will be extended to all major population centres,

Reiterating its concern over the negative developments that have continued to occur in the Occupied Palestinian Territory, including East Jerusalem, including the large number of deaths and injuries, mostly among Palestinian civilians, the acts of violence and brutality committed against Palestinian civilians by Israeli settlers in the West Bank, the widespread destruction of public and private Palestinian property and infrastructure, the internal displacement of civilians and the serious deterioration of the socio-economic and humanitarian conditions of the Palestinian people,

Expressing grave concern in particular over the crisis in the Gaza Strip as a result of the continuing prolonged Israeli closures and severe economic and movement restrictions that in effect amount to a blockade and the military operations in the Gaza Strip between December 2008 and January 2009, which caused extensive loss of life and injury, particularly among Palestinian civilians, including children and women, the widespread damage and destruction to Palestinian homes, properties, vital infrastructure, public institutions, including hospitals, schools and United Nations facilities, and the internal displacement of civilians,

Stressing the need for the full implementation by all parties of Security Council resolution 1860 (2009) of 8 January 2009 and General Assembly resolution ES-10/18 of 16 January 2009,

Expressing concern over continuing military actions in the Occupied Palestinian Territory, including raids and arrest campaigns, and the continued imposition of hundreds of checkpoints and obstacles to movement in and around Palestinian population centres by the Israeli occupying forces, and emphasizing in this regard the need for the implementation by both sides of the Sharm el-Sheikh understandings,

Emphasizing the importance of the safety, protection and well-being of all civilians in the whole Middle East region, and condemning all acts of violence and terror against civilians on both sides,

Expressing concern over the unlawful takeover of Palestinian Authority institutions in the Gaza Strip in June 2007, and calling for the restoration of the situation to that which existed prior to June 2007 and for the continuation of the serious efforts being exerted by Egypt, the League of Arab States and other concerned parties for the promotion of dialogue towards reconciliation and the restoration of Palestinian national unity,

Stressing the urgent need for sustained and active international involvement, including by the Quartet, to support both parties in resuming, advancing and accelerating the peace process negotiations between the parties for the achievement of a just, lasting and comprehensive peace settlement, on the basis of United Nations resolutions, the road map and the Arab Peace Initiative,

Acknowledging the efforts being undertaken by civil society to promote a peaceful settlement of the question of Palestine,

Taking note of the findings by the International Court of Justice, in its advisory opinion, including on the urgent necessity for the United Nations as a whole to

redouble its efforts to bring the Israeli-Palestinian conflict, which continues to pose a threat to international peace and security, to a speedy conclusion, thereby establishing a just and lasting peace in the region,⁶

Affirming once again the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the necessity of achieving a peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, in all its aspects, and of intensifying all efforts towards that end;

2. *Also reaffirms* its full support for the Middle East peace process, based on the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session,⁵ and the Quartet road map,⁴ and the existing agreements between the Israeli and Palestinian sides, stresses the necessity for the establishment of a comprehensive, just and lasting peace in the Middle East, and welcomes in this regard the ongoing efforts of the Quartet and of the League of Arab States;

3. *Encourages* continued serious regional and international efforts to follow up and promote the Arab Peace Initiative, including by the Ministerial Committee formed at the Riyadh summit in March 2007;

4. *Urges* the parties to undertake, with the support of the Quartet and the international community, immediate and concrete steps in follow-up to their joint understanding, reached at the Annapolis Conference of 27 November 2007, including through the resumption of active and serious bilateral negotiations;

5. *Encourages* in this regard the convening of an international conference in Moscow, as envisioned by the Security Council in resolution 1850 (2008), for the advancement and acceleration of a resumed peace process;

6. *Calls upon* both parties to act on their previous agreements and obligations, in particular adherence to the road map, irrespective of reciprocity, to create the conditions for the resumption of negotiations in the near term;

7. *Calls upon* the parties themselves, with the support of the Quartet and other interested parties, to exert all efforts necessary to halt the deterioration of the situation and to reverse all unilateral and unlawful measures taken on the ground since 28 September 2000;

8. *Underscores* the need for the parties to take confidence-building measures aimed at improving the situation on the ground, promoting stability and fostering the peace process, including the need for the further release of prisoners;

9. *Stresses* the need for a speedy end to the reoccupation of Palestinian population centres, inter alia, by easing movement and access, including by the removal of checkpoints and other obstructions to movement, and the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem;

⁶ See A/ES-10/273 and Corr.1, advisory opinion, para. 161; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 36.

10. *Also stresses* the need for an immediate and complete cessation of all acts of violence, including military attacks, destruction and acts of terror;

11. *Reiterates its demand* for the full implementation of Security Council resolution 1860 (2009);

12. *Also reiterates* the need for the full implementation by both parties of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, of 15 November 2005, and the need, in specific, to allow for the sustained opening of all crossings into and out of the Gaza Strip for humanitarian supplies, movement and access as well as for commercial flows and all necessary construction materials, which are essential for alleviating the dire humanitarian crisis, improving the living conditions of the Palestinian people and promoting the recovery of the Palestinian economy;

13. *Stresses* in this regard the urgent necessity for the advancement of reconstruction in the Gaza Strip, including through the completion of numerous suspended projects managed by the United Nations, according to the proposal of the Secretary-General, and the commencement of United Nations-led civilian reconstruction activities;

14. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease all of its measures that are contrary to international law and unilateral actions in the Occupied Palestinian Territory, including East Jerusalem, that are aimed at altering the character, status and demographic composition of the Territory, including via the de facto annexation of land, and thus at prejudging the final outcome of peace negotiations;

15. *Reiterates its demand* for the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls for the full implementation of the relevant Security Council resolutions;

16. *Calls* for the cessation of all provocations, including by Israeli settlers, in East Jerusalem, including in and around religious sites;

17. *Demands*, accordingly, that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion² and as demanded in resolutions ES-10/13 of 21 October 2003 and ES-10/15 and, inter alia, that it immediately cease its construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, and calls upon all States Members of the United Nations to comply with their legal obligations, as mentioned in the advisory opinion;

18. *Reaffirms its commitment*, in accordance with international law, to the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders;

19. *Stresses* the need for:

(a) The withdrawal of Israel from the Palestinian territory occupied since 1967, including East Jerusalem;

(b) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State;

20. *Also stresses* the need for justly resolving the problem of Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948;

21. *Calls upon* the parties to resume and accelerate direct peace negotiations towards the conclusion of a final peaceful settlement on the basis of relevant United Nations resolutions, especially of the Security Council, the terms of reference of the Madrid Conference, the road map and the Arab Peace Initiative;

22. *Urges* Member States to expedite the provision of economic, humanitarian and technical assistance to the Palestinian people and the Palestinian Authority during this critical period to help to alleviate the humanitarian crisis being faced by the Palestinian people, particularly in the Gaza Strip, to rehabilitate the Palestinian economy and infrastructure and to support the rebuilding, restructuring and reform of Palestinian institutions and Palestinian State-building efforts;

23. *Encourages*, in this regard, the continuing efforts of the Quartet's Special Representative, Tony Blair, to strengthen Palestinian institutions, promote Palestinian economic development and mobilize international donor support;

24. *Requests* the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, towards the attainment of a peaceful settlement of the question of Palestine and the promotion of peace in the region and to submit to the General Assembly at its sixty-fifth session a report on these efforts and on developments on this matter.



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Peaceful settlement of the question of Palestine

Addendum

Add the following country to the list of sponsors of the draft resolution:

Guinea



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Agenda item 15

The situation in the Middle East

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Namibia, Nicaragua, Nigeria, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen, Zimbabwe and Palestine: draft resolution

Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all subsequent resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" on Jerusalem,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,¹ and recalling resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

¹ See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, I.C.J. Reports 2004, p. 136.



Expressing its grave concern in particular about the continuation by Israel, the occupying Power, of illegal settlement activities, including the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its restrictions on access to and residence in East Jerusalem, and the further isolation of the city from the rest of the Occupied Palestinian Territory, which are having a detrimental effect on the lives of Palestinians and could prejudice a final status agreement on Jerusalem,

Expressing its grave concern also about the continuing Israeli demolition of Palestinian homes and the eviction of numerous Palestinian families from East Jerusalem neighbourhoods, as well as other acts of provocation and incitement, including by Israeli settlers, in the City,

Expressing concern also about the Israeli excavations undertaken in the Old City of Jerusalem, including in and around religious sites,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General,²

1. *Reiterates its determination that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to immediately cease all such illegal and unilateral measures;*

2. *Stresses that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;*

3. *Requests the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.*

² A/64/343.



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Agenda item 15

The situation in the Middle East

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba,
Democratic People's Republic of Korea, Djibouti, Egypt, Indonesia, Iraq,
Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Namibia, Nicaragua,
Nigeria, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan,
Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen,
Zimbabwe and Palestine: draft resolution

Jerusalem

Addendum

Add the following country to the list of sponsors of the draft resolution:

Guinea



General Assembly

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Agenda item 15

The situation in the Middle East

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Namibia, Nicaragua, Nigeria, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen, Zimbabwe and Palestine: draft resolution

The Syrian Golan

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General,¹

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force, in accordance with international law and the Charter of the United Nations,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,² to the occupied Syrian Golan,

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Stressing the illegality of the Israeli settlement construction and other activities in the occupied Syrian Golan since 1967,

Noting with satisfaction the convening in Madrid on 30 October 1991 of the Peace Conference on the Middle East, on the basis of Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the formula of land for peace,

¹ A/64/343.

² United Nations, *Treaty Series*, vol. 75, No. 973.



Expressing grave concern over the halt in the peace process on the Syrian track, and expressing the hope that peace talks will soon resume from the point they had reached,

1. *Declares* that Israel has failed so far to comply with Security Council resolution 497 (1981);

2. *Also declares* that the Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and has no validity whatsoever, as confirmed by the Security Council in its resolution 497 (1981), and calls upon Israel to rescind it;

3. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention of 1907,³ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War,² continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

4. *Determines once more* that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling block in the way of achieving a just, comprehensive and lasting peace in the region;

5. *Calls upon* Israel to resume the talks on the Syrian and Lebanese tracks and to respect the commitments and undertakings reached during the previous talks;

6. *Demands once more* that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions;

7. *Calls upon* all the parties concerned, the co-sponsors of the peace process and the entire international community to exert all the necessary efforts to ensure the resumption of the peace process and its success by implementing Security Council resolutions 242 (1967) and 338 (1973);

8. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.

³ See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).



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Agenda item 15

The situation in the Middle East

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Namibia, Nicaragua, Nigeria, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen, Zimbabwe and Palestine: draft resolution

The Syrian Golan

Addendum

Add the following country to the list of sponsors of the draft resolution:

Guinea





General Assembly

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Agenda item 12

The role of diamonds in fuelling conflict

Botswana, Namibia, South Africa and Zimbabwe: draft resolution

The role of diamonds in fuelling conflict: breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts

The General Assembly,

Recognizing that the trade in conflict diamonds continues to be a matter of serious international concern, which can be directly linked to the fuelling of armed conflict, the activities of rebel movements aimed at undermining or overthrowing legitimate Governments and the illicit traffic in and proliferation of armaments, especially small arms and light weapons,

Recognizing also the devastating impact of conflicts fuelled by the trade in conflict diamonds on the peace, safety and security of people in affected countries, and the systematic and gross human rights violations that have been perpetrated in such conflicts,

Noting the negative impact of such conflicts on regional stability and the obligations placed upon States by the Charter of the United Nations regarding the maintenance of international peace and security,

Recognizing that continued action to curb the trade in conflict diamonds is imperative,

Noting with appreciation that the Kimberley Process, as an international initiative of the Governments of participant States, has pursued its deliberations on an inclusive basis involving concerned stakeholders, including producing, exporting and importing States, the diamond industry and civil society, as well as applicant States and international organizations,

Recalling that the elimination of conflict diamonds from legitimate trade is the primary objective of the Kimberley Process,

Calling for the consistent implementation of commitments made by Kimberley Process participant States,



Acknowledging that the diamond sector is an important catalyst for achieving poverty reduction and meeting the requirements of the Millennium Development Goals in many producing countries, particularly in developing countries,

Bearing in mind the positive benefits of the legitimate diamond trade to producing countries, and underlining the need for continued international action to prevent the problem of conflict diamonds from negatively affecting the trade in legitimate diamonds, which makes a critical contribution to the economies of many of the producing, exporting and importing States, especially developing States,

Noting that the vast majority of rough diamonds produced in the world are from legitimate sources,

Recalling the Charter of the United Nations and all the relevant resolutions of the Security Council related to conflict diamonds, and determined to contribute to and support the implementation of the measures provided for in those resolutions,

Recalling also Security Council resolution 1459 (2003) of 28 January 2003, in which the Council strongly supported the Kimberley Process Certification Scheme¹ as a valuable contribution against trafficking in conflict diamonds,

Welcoming the important contribution of the Kimberley Process, which was initiated by African diamond-producing countries,

Noting with satisfaction that the implementation of the Kimberley Process Certification Scheme continues to have a positive impact in reducing the opportunity for conflict diamonds to play a role in fuelling armed conflict and would help to protect legitimate trade and ensure the effective implementation of the relevant resolutions on trade in conflict diamonds,

Acknowledging that lessons learned from the Kimberley Process are useful for the work of the Peacebuilding Commission in its consideration of the countries included in its agenda, as appropriate,

Recalling its resolutions 55/56 of 1 December 2000, 56/263 of 13 March 2002, 57/302 of 15 April 2003, 58/290 of 14 April 2004, 59/144 of 15 December 2004, 60/182 of 20 December 2005, 61/28 of 4 December 2006, 62/11 of 26 November 2007 and 63/134 of 11 December 2008, in which it called for the development and implementation as well as a periodic review of proposals for a simple, effective and pragmatic international certification scheme for rough diamonds,

Welcoming, in this regard, the implementation of the Kimberley Process Certification Scheme in such a way as not to impede the legitimate trade in diamonds or impose an undue burden on Governments or industry, particularly smaller producers, nor hinder the development of the diamond industry,

Welcoming also the decision of forty-nine Kimberley Process Participants, representing seventy-five countries, including the twenty-seven members of the European Union represented by the European Commission, to address the problem of conflict diamonds by participating in the Process and implementing the Kimberley Process Certification Scheme,

Noting the consensual outcomes of the plenary meeting of the Kimberley Process, held in Swakopmund, Namibia, from 2 to 5 November 2009,

¹ See A/57/489.

Welcoming the important contribution in fulfilling the purposes of the Kimberley Process that has been made and continues to be made by civil society and the diamond industry, in particular the World Diamond Council, which represents all aspects of the diamond industry, to assist international efforts to stop the trade in conflict diamonds,

Welcoming also the voluntary self-regulation initiatives for the diamond industry announced by the World Diamond Council, and recognizing that a system of such voluntary self-regulation contributes, as described in the Interlaken Declaration of 5 November 2002 on the Kimberley Process Certification Scheme for Rough Diamonds,² to ensuring the effectiveness of national systems of internal control for rough diamonds,

Recognizing that State sovereignty should be fully respected and that the principles of equality, mutual benefits and consensus should be adhered to,

Recognizing also that the Kimberley Process Certification Scheme, which came into effect on 1 January 2003, will be credible only if all Participants have requisite national legislation coupled with effective and credible internal systems of control designed to eliminate the presence of conflict diamonds in the chain of producing, exporting and importing rough diamonds within their own territories, while taking into account that differences in production methods and trading practices, as well as differences in institutional controls thereof, may require different approaches to meeting minimum standards,

Welcoming the efforts of the Kimberley Process to continue elaborating new rules and procedural norms to regulate the activities of its working bodies, Participants and observers, and to enhance the effectiveness of the Certification Scheme,

1. *Reaffirms its strong and continuing support* for the Kimberley Process Certification Scheme¹ and the Kimberley Process as a whole;

2. *Recognizes* that the Kimberley Process Certification Scheme can help to ensure the effective implementation of relevant resolutions of the Security Council containing sanctions on the trade in conflict diamonds and act as a mechanism for the prevention of future conflicts, and calls for the full implementation of existing Council measures targeting the illicit trade in rough diamonds, particularly conflict diamonds which play a role in fuelling conflict;

3. *Welcomes* admission of new Participants to the Kimberley Process;

4. *Recognizes* the important contributions that the international efforts to address the problem of conflict diamonds, including the Kimberley Process Certification Scheme, have made to the settlement of conflicts and the consolidation of peace in Angola, Liberia and Sierra Leone;

5. *Notes* the efforts, including the creation of a technical experts team, to strengthen import confirmation requirements and examine the compliance of cross-border Internet sales with Kimberley Process Certification Scheme requirements;

6. *Also notes* the decision of the General Council of the World Trade Organization of 15 May 2003 granting a waiver with respect to the measures taken

² Ibid., annex 2.

to implement the Kimberley Process Certification Scheme, effective from 1 January 2003 to 31 December 2006,³ and the decision of the General Council of 17 November 2006 granting an extension of the waiver until 31 December 2012;⁴

7. *Takes note* of the report of the Chair of the Kimberley Process submitted pursuant to General Assembly resolution 63/134 and congratulates the participating Governments, the regional economic integration organization, the diamond industry and civil society organizations involved in the Process for contributing to the development, implementation and monitoring of the Kimberley Process Certification Scheme;

8. *Welcomes* the efforts of the Kimberley Process Participants to fully implement the Kimberley Process Certification Scheme, and stresses the need to implement the minimum requirements and additional recommended measures established by the Kimberley Process and the intention to increase the efficiency of internal controls;

9. *Acknowledges* the progress made by Kimberley Process working groups, Participants and observers during 2009 in fulfilling the objectives set by the Chair to strengthen implementation of the peer review system, increase the transparency and accuracy of statistics, promote research into the traceability of diamonds, promote inclusiveness by broadening the level of involvement by Governments, industry and civil society in the Kimberley Process Certification Scheme, foster a sense of ownership by Participants, improve information and communication flows and enhance the capacity of the Certification Scheme to respond to emerging challenges;

10. *Stresses* that the widest possible participation in the Kimberley Process Certification Scheme is essential, and encourages all Member States to contribute to the work of the Kimberley Process by seeking membership, participating actively in the Certification Scheme and complying with its undertakings, and welcomes the increased involvement of civil society organizations, in particular those from producer countries, in the Process;

11. *Recognizes* the importance of the Kimberley Process continuing to articulate and improve rules and procedures to further enhance the effectiveness of the Kimberley Process Certification Scheme, and notes with satisfaction the systematization of the work of the Kimberley Process with respect to developing transparent and uniform rules and procedures and improving of the mechanism for consultations and coordination within the Process;

12. *Welcomes* the adoption of new guidelines pertaining to implementation and enforcement in order to enhance the capacity of the Kimberley Process and provide guidance to national authorities to address specific enforcement issues such as fraudulent certificates, shipments of suspicious origin and exchange of information in cases of infringement;

13. *Notes with appreciation* the willingness of the Kimberley Process to support and provide technical assistance to those Participants experiencing temporary difficulties in complying with the requirements of the Kimberley Process Certification Scheme;

³ World Trade Organization, document WT/L/518. Available from <http://docsonline.wto.org>.

⁴ World Trade Organization, document G/C/W/559/Rev.1. Available from <http://docsonline.wto.org>.

14. *Notes* the adoption by the Swakopmund plenary meeting of the decision on the sharing of information on the Kimberley Process with the United Nations and on the participation of observers in the Kimberley Process;

15. *Welcomes* the establishment of a scientific sub-group on characterization and identification of rough diamonds to improve the current "footprinting" work that is being done by the Kimberley Process on rough diamonds from Côte d'Ivoire;

16. *Notes with appreciation* the continued cooperation of the Kimberley Process with the United Nations on the issue of diamonds from Côte d'Ivoire and the continued monitoring of the situation in that country on the basis of the reports of the United Nations Group of Experts on Côte d'Ivoire, originally established by the Security Council in its resolution 1584 (2005), and through liaison with Côte d'Ivoire, and encourages continued cooperation between the Process and the United Nations in addressing this issue, with the ultimate objective of meeting the preconditions for the lifting of United Nations sanctions on the trading of rough diamonds from Côte d'Ivoire;

17. *Acknowledges* the adoption of a plan by the plenary of the Kimberley Process to strengthen the internal controls of Guinea and to assess that country's production capacity, welcomes the commitment of Liberia to host a regional meeting to foster further regional cooperation in rough diamond controls, and appreciates the continued efforts of Ghana to strengthen internal controls and prevent infiltration of illicit Ivorian diamonds into the legitimate trade;

18. *Notes with satisfaction* the development of a new Kimberley Process rough diamond statistics website with enhanced security measures and controls, welcomes the progress made towards the collection and submission of complete and accurate statistical reports on the production of and trade in rough diamonds, and encourages all the Kimberley Process Participants to continue to enhance the quality of data and respond promptly to the process of analysis of the data;

19. *Also notes with satisfaction* the "footprint" work conducted by the Kimberley Process Working Group of Diamond Experts with respect to Côte d'Ivoire, Ghana, Guinea, Liberia, Togo and the Marange diamond fields in Zimbabwe;

20. *Notes with appreciation* the progress achieved under the action plan by the artisanal and alluvial diamond-producing countries and the sharing of information on the impact of the global financial crisis, namely the economic and social consequences and their impact on internal controls;

21. *Calls on* all Kimberley Process Participants to implement internal controls in diamond trading and manufacturing centres as part of their own internal controls for ensuring adequate Government oversight over the trade in rough diamonds;

22. *Notes with appreciation* the assistance and capacity-building efforts extended by various donors, and encourages other donors to provide financial and technical expertise and organizational support to Kimberley Process Participants, in particular new Participants to help them to develop tighter monitoring and control measures;

23. *Acknowledges with great appreciation* the important contribution that Namibia, as Chair of the Kimberley Process in 2009, has made to the efforts to curb

the trade in conflict diamonds, and takes note that the Process has selected Israel as Chair and the Democratic Republic of the Congo as Vice-Chair of the Process for 2010;

24. *Requests* the Chair of the Kimberley Process to submit to the General Assembly at its sixty-fifth session a report on the implementation of the Process;

25. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "The role of diamonds in fuelling conflict".



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Agenda item 12

The role of diamonds in fuelling conflict

Botswana, Namibia, South Africa and Zimbabwe: draft resolution

**The role of diamonds in fuelling conflict: breaking the link
between the illicit transaction of rough diamonds and armed
conflict as a contribution to prevention and settlement of conflicts**

Addendum

Add the following countries to the list of sponsors of the draft resolution:

Angola, Argentina, Belarus, Brazil, China, Congo, Mexico, Singapore, Somalia,
Thailand and Venezuela (Bolivarian Republic of)

